

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

ISIS JONES)	
)	
<i>On Behalf of Herself and All Other</i>)	
<i>Similarly Situated Individuals</i>)	
)	Case No. 3:23-cv-01327-MAB
Plaintiff,)	
v.)	
)	
MISS KITTY’S, INC.)	
)	
Defendant.)	

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT
ON LIABILITY AS TO CLASS-WIDE ILLINOIS STATE LAW CLAIMS**

Plaintiff Isis Jones (“Plaintiff”), individually, and as Class Representative on behalf of the members of the IMWL Class¹ and IWPCA Class² (collectively, Plaintiff and the members of the IMWL Class and the IWPCA Class are referred to herein as “Plaintiffs”) through Class Counsel, and pursuant to Fed. R. Civ. Pro. 56(a) submits her Motion for Partial Summary Judgment against Defendant Miss Kitty’s, Inc. (“Defendant”)³ as to its liability on Plaintiffs’ class-wide arising under the Illinois Minimum Wage Law (“IMWL”), 820 ILCS 105/1 *et seq.* and the Illinois Wage Payment and Collection Act (“IWPCA”), 820 ILCS 115/1 *et seq.*

¹ The Federal Rule 23(b)(3) Court Certified IMWL Class includes “all individuals who worked or performed as an exotic dancer for, in or at Defendant’s Club during the period April 2020 through the final date of judgment in this case” (“the IMWL Class”).

² The Federal Rule 23(b)(3) Court Certified IWPCA Class includes “all individuals who worked or performed as an exotic dancer for, in, or at Defendant’s Club during the period April 2013 through the final date of judgment in this case.” (“the IWPCA Class”).

³ Defendant owns and operates the Miss Kitty’s Gentlemen’s Club, located at 5200 Bunkum Road, Washington Park, Illinois 62204, referred to herein as “Defendant’s Club.”

As further described and supported within Plaintiff's accompanying Memorandum, the facts of this case are **not** subject to genuine material dispute and fully support the following factual and legal conclusions:

1. Defendant qualified as Plaintiffs' employer under the IMWL;
2. Defendant qualified as Plaintiffs' employer under the IWPCA;
3. Defendant violated the IMWL by charging Plaintiffs' an unlawful "kickback" in the form of a "stage rental fee" each shift Plaintiffs worked as exotic dancers within Defendant's Club;
4. Defendant violated the IMWL by paying Plaintiffs no wages or other form of compensation for the hours Plaintiffs worked as exotic dancers within Defendant's Club; and
5. Defendants violated the IWPCA by deducting or failing to reimburse a "stage rental fee" from Plaintiffs for each shift Plaintiffs worked as exotic dancers within Defendant's Club.

WHEREFORE, good cause exists for this Court's to grant of Partial Summary Judgment finding Defendant liable: (i) to Plaintiff and the member of the IMWL Class for back wages at the "free and clear" Illinois Minimum Wage Rate for all hour worked as exotic dancers within Defendant's Club during the period April 2020, through the date of judgment, in an amount to be determined at trial, plus treble damages, and interest at the IMWL statutory rate; and (ii) to Plaintiff and each member of the IWPCA Class for all unreimbursed or deducted "stage rental fees" withheld or deducted by Defendant during the period April 2013, through the date of judgment, in an amount to be determined at trial, plus interest at the IWPCA statutory rate.

Respectfully submitted,

ATHENA HERMAN LAW, LLC

Dated: December 17, 2024

/s/ Athena M. Herman_(with consent)
Athena M. Herman, Esq., ARDC No. 6243625
416 Main St, Suite 811
Peoria, Illinois 61602
Telephone: (309) 966-0248
Email: athena@athenahermanlaw.com

ZIPIN, AMSTER & GREENBERG, LLC

/s/ Gregg C. Greenberg
Gregg C. Greenberg, MD Fed Bar No. 17291
(To be Admitted *Pro Hac Vice*)
8757 Georgia Avenue, Suite 400
Silver Spring, Maryland 20910
Telephone: (301) 587-9373
Fax: (240) 839-9142
Email: ggreenberg@zagfirm.com

Counsel for Plaintiff and the Class

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of December 2024, a true and correct copy of Plaintiff's Motion for Partial Summary Judgment, Plaintiff's Memorandum in Support, all Exhibits thereto, and Plaintiff's Proposed Order was served electronically, by and through the Court's ECF System, on all counsel of record.

/s/ Gregg C. Greenberg
Gregg C. Greenberg